

BEFORE THE BOARD OF REAL ESTATE APPRAISERS

STATE OF IDAHO

In the Matter of the License of:)	
)	Case No. REA-2009-18
CRAIG W. SMITH,)	
License No. CRA-1641,)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW AND
Respondent.)	FINAL ORDER
)	

Having reviewed the documents and correspondence contained in the administrative file in this matter, the Idaho State Board of Real Estate Appraisers (the "Board") hereby enters the following Findings of Fact, Conclusions of Law, and Final Order:

FINDINGS OF FACT

1. Respondent Craig W. Smith ("Respondent") is a duly licensed real estate appraiser in the State of Idaho holding License No. CRA-1641.

2. Pursuant to the Board's statutes and rules, appraisals in the State of Idaho must comply with the minimum standards set forth in the Uniform Standards of Professional Appraisal Practices ("USPAP").

3. On June 16, 2008, the Board entered into a Stipulation and Consent Order with Respondent in Case No. REA-2007-147. In that Stipulation and Consent Order, Respondent admitted that appraisals he prepared on six (6) properties in the Teton Springs development in Victor, Idaho, failed to comply with USPAP. A copy of the Stipulation and Consent Order in Case No. REA-2007-147 is attached as Exhibit A.

4. Between August and December 2008, the Board received complaints from six (6) property owners in the Teton Springs development that appraisals prepared by Respondent on twenty (20) properties in the Teton Springs development failed to comply with USPAP.

5. On or about February 21, 2009, Respondent voluntarily surrendered his

license, admitting to violations of the Idaho Real Estate Appraiser Act, title 54, chapter 41, Idaho Code. A copy of the voluntary surrender form signed by Respondent is attached hereto as Exhibit B.

6. In the voluntary surrender, Respondent knowingly and freely waived his right to a hearing, and waived all rights granted to Respondent pursuant to the Administrative Procedures Act, chapter 52, title 67, Idaho Code.

CONCLUSIONS OF LAW

1. As a licensed real estate appraiser in the State of Idaho, Respondent is subject to the jurisdiction of the Board and to the provisions of title 54, chapter 41, Idaho Code, and the rules and regulations promulgated by the Board thereunder.

2. The allegations in the complaint, if proven, would constitute violations of the Real Estate Appraiser Act and Board rules and constitute grounds for revocation or suspension of Respondent's license to practice real estate appraising pursuant to Idaho Code § 54-4107(1)(e) and IDAPA 24.18.01.700.

3. Respondent's voluntary surrender of licensure authorizes the Board to revoke or suspend Respondent's license without further process.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, based upon the foregoing Findings of Fact and Conclusions of Law, and good cause being shown, that License No. CRA-1641 issued to Respondent Craig W. Smith, including any right of renewal, is hereby REVOKED.


It is further ordered that, should Respondent request reinstatement of licensure or submit an application for licensure in the future, the Board reserves the right to assess investigative costs and attorney fees incurred in this matter as a condition of reinstatement.

This order is effective immediately.

/ / /

DATED this 8th day of June, 2009.

IDAHO STATE BOARD OF
REAL ESTATE APPRAISERS

By 
Rick Bachmeier, Chair

NOTICE OF DUE PROCESS RIGHTS

NOTE: THIS NOTICE IS PROVIDED SOLEY FOR COMPLIANCE WITH IDAHO CODE § 67-5248, AND IS NOT INTENDED TO REINSTATE ANY RIGHTS PREVIOUSLY WAIVED BY RESPONDENT.

This is a final order of the Board. Any party may file a motion for reconsideration of this final order within fourteen (14) days of the service date of this order. The Board will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Idaho Code § 67-5246(4).

Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order or orders previously issued in this case may appeal this final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- a. A hearing was held,
- b. The final Board action was taken,
- c. The party seeking review of the order, resides, or
- d. The real property or personal property that was the subject of the Board action is located.

An appeal must be filed within twenty-eight (28) days (a) of the service date of this final order, (b) of an order denying petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See Idaho Code § 67-5273. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

CERTIFICATE OF SERVICE


I HEREBY CERTIFY that on this 9th day of June, 2009, I caused to be served a true and correct copy of the foregoing by the following method to:

Craig W. Smith
P.O. Box 4242
Bedford, WY 83112

- ☒ U.S. Mail
- ☐ Hand Delivery
- ☒ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile: _____
- ☐ Statehouse Mail

Michael S. Gilmore
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

- ☐ U.S. Mail
- ☐ Hand Delivery
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile: _____
- ☒ Statehouse Mail


Tana Cory, Chief

Bureau of Occupational Licenses

BEFORE THE BOARD OF REAL ESTATE APPRAISERS

STATE OF IDAHO

In the Matter of the License of:)
) Case No. REA-2007-147
CRAIG W. SMITH,)
License No. CRA-1641,) **STIPULATION AND**
) **CONSENT ORDER**
Respondent.)
_____)

WHEREAS, information has been received by the Idaho State Board of Real Estate Appraisers (the "Board") that constitutes sufficient grounds for the initiation of an administrative action against Craig W. Smith ("Respondent"); and

WHEREAS, the parties mutually agree to settle the matter in an expeditious manner in lieu of administrative hearings before the Board; now, therefore,

IT IS HEREBY STIPULATED AND AGREED between the undersigned parties that this matter shall be settled and resolved upon the following terms:

A. Stipulated Facts and Law

A.1. The Board regulates the practice of real estate appraising in the State of Idaho in accordance with title 54, chapter 41, Idaho Code.

A.2. The Board has issued License No. CRA-1641 to Respondent. Respondent's license is subject to the provisions of title 54, chapter 41, Idaho Code and the Board's rules at IDAPA 24.18.01, *et seq.*

A.3. Appraisals in the State of Idaho must comply with the minimum standards set forth in the Uniform Standards of Professional Appraisal Practices ("USPAP").

A.4. In April, May and July 2006, Respondent prepared six appraisal reports for properties located in Victor, Idaho, as follows:

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/ / /

/ / /

Subject		
Property No.	Appraisal Date	Property Address
1	April 7, 2006	Block 11, Lot 2, Teton Springs Golf & Casting Club
2	May 11, 2006	Block 25, Lot 7, Teton Springs Golf & Casting Club
3	May 11, 2006	Block 25, Lot 1, Teton Springs Golf & Casting Club
4	May 25, 2006	Block 23, Lot 26, Teton Springs Golf & Casting Club
5	May 26, 2006	Block 24, Lot 2, Teton Springs Golf & Casting Club
6	July 7, 2006	Block 25, Lot 4, Teton Springs Golf & Casting Club

Subject File No. 1

A.5. Respondent's appraisal report and work file for Subject Property #1 failed to meet the following requirements of applicable USPAP Standards (2005)¹:

a. Standards Rule 1-1(b): The description of the market area is a broad description of the Victor market area within which the subject development, Teton Springs, is located; however, the price ranges provided are not descriptive of the market area described. The prices provided are representative of a small sector of the market area inclusive of the subject development and are not representative of the whole market area described.

b. Standards Rule 1-1(b): The Cost Approach to Value includes an "As-Is" Value of Site Improvements of \$150,000. The amount for this cost item is excessive, and there is no support for this cost estimate is provided.

c. Standards Rule 1-1(b): The report failed to include two comparables that were better data than the comparable data used by Respondent. The exclusion of these comparable data from the report is misleading because it does not give the full picture of the market. The comparables should have been included with necessary adjustments and explanations of sale. The inclusion of these comparables would have described a fuller picture of the market, as well as have indicated a lower range in value.

¹ On April 7, 2006, the Board's adoption of the 2005 edition of USPAP was in effect. See IDAPA 24.18.01.004 (2005) (effective 4/6/05 to 4/11/06).

d. Standards Rule 1-1(b): Respondent adjusted Comparables Nos. 2 and 3 in the report upward for an inferior “design.” There is no support for these adjustments in Respondent’s work file, and the adjustments resulted in an inflated estimated value.

e. Standards Rules 1-1(b) and 2-1(a), (b) and (c): Respondent indicated in the report that Teton Springs Golf & Casing Club, LLC, was the borrower and Daniel Balls was the owner. Per the Contract for Sale, the sellers in the transaction are Taylor and Elizabeth Poole and the buyer is Dan Balls. The lot transferred from the Pooles to Balls. In consideration of the contract for the subject, it appears the borrower should have been listed as Daniel Balls, not Teton Springs, and the owners as Taylor and Elizabeth Poole, not Daniel Balls. In addition, the report indicated the type of appraisal to be “Estimate of Value New Construction.” In the subject section of the report, Respondent stated that the site “was purchased for \$310,000 in January of 2006” but under the comparable grid Respondent stated that the subject is “under contract for \$310,000.” Also, in the contract section of the report stated that the appraisal is for an estimate of new construction. Respondent has marked the box that he “did not” review the contract; however, in the Cost Approach support for the site value indicated that it was from the purchase contract. This series of mistakes misrepresented the subject property and information regarding its sales history. In fact, the subject property was an incomplete construction project that had resulted from lot purchase that was apparently transacted with funds from construction financing.

f. Standards Rules 1-1(b) and 1-2(h): Respondent checked the box in the improvement description section stating the improvements to be “Existing” and noted the year built as 2006, giving the impression the home existed as of the effective date of the appraisal. However, the box for “subject to completion of plans and specs on the basis of a hypothetical condition that the improvements have been completed” in the reconciliation section was also checked. By not adequately disclosing actual facts on the

groundt, the property was misrepresented to the user.

g. Standards Rule 1-1(b): Respondent represented the subject site as having a site size of .73 acres when the site was actually .45 acres.

h. Standards Rule 1-1(b): Some of the comparables were sold inclusive of personal property, including golf course memberships and furniture. Although it may be difficult to identify the dollar amount attributable to the furnishings in the sales, the inclusion of the personal property should have been mentioned and addressed qualitatively or quantitatively in adjustment of the comparables.

i. Ethics Rule, Conduct: Respondent did not perform the appraisal in a competent manner or in accordance with USPAP. Through the exclusion of selected comparable data in the report, the appraisal was misleading and provided an inflated value estimate.

Subject File Nos. 2 through 6

A.6. Respondent's appraisal reports and work files for Subject Properties #2 through #6 failed to meet the following requirements of applicable USPAP Standards (2006):

a. Standards Rule 1-1(b): The description of the market area in the reports is a broad description of the Victor market area within which the subject development, Teton Springs, is located; however, the price ranges provided are not descriptive of the market area described. The prices provided are representative of a small sector of the market area inclusive of the subject development and are not representative of the whole market area described.

b. Standards Rule 1-1(b): In each report, the Cost Approach to Value includes an "As-Is" Value of Site Improvements of \$150,000. The amount for this cost item is excessive and there is no support for this cost estimate is provided.

c. Standards Rules 1-1(b) and 2-1(a) and (b): Respondent indicated in the reports that they were hypothetical appraisals of a properties per plans. Examination

of documents provided indicates the purchases were combination lot purchases and construction contracts between the buyers/borrowers and the seller and owner. In the space provided for the Contract Price, Respondent listed "Est. of Value" without reference to the lot purchase prices. These mistakes misrepresented the subject property and information regarding its sales history. In fact, the subject properties are incomplete construction projects that resulted from lot purchases that were apparently transacted with funds from construction financing.

d. Standards Rule 1-1(b): Respondent indicated the site values in the Cost Approach and the Sales Comparison Approach were based on two site sales from the development; however, the sites (Mountain Meadows) were perimeter sites where the subjects were interior sites. The site sales used by Respondent closed for \$189,000 and \$210,000, but additional sales data were available for interior sites similar to the subjects that ranged from approximately \$140,000 to \$150,000. Consideration of the subjects' pending sales and the other, similar interior site sales indicated a lower value for the subject sites and contributed to the overall inflation of the values.

e. Standards Rule 1-1(b): Respondent failed to include two comparables in each of the reports that were better data than the comparable data used by Respondent. The inclusion of additional data would have described the larger picture of the market, as well as indicated lower range in values.

f. Standards Rule 1-1(b): Respondent adjusted Comparables Nos. 2 and 3 in each of the reports upward for inferior "design." There was no support for these adjustments in Respondent's work files, and the adjustments resulted in inflated estimated values.

h. Standards Rule 1-1(b): Some of the comparables sold inclusive of personal property, including golf course memberships and furniture. Although it may be difficult to identify the dollar amount attributable to the furnishings in the sales, the

inclusion of personal property should have been mentioned and addressed qualitatively or quantitatively in adjustment of the comparables.

i. Ethics Rule, Conduct: Respondent did not perform the appraisal in a competent manner or in accordance with USPAP. Through the exclusion of selected comparable data in the report, the appraisals were misleading and provided inflated value estimates.

A.7. The allegations of Paragraphs A.4 through A.7, if proven, would violate the laws and rules governing the practice of real estate appraising, specifically Idaho Code § 54-4107(1)(e) and IDAPA 24.18.01.700. Violations of these laws and rules constitute grounds for disciplinary action against Respondent's license to practice real estate appraising in the State of Idaho.

Craig W Smith
B. Waiver of Procedural Rights

I, ~~Kevin B. Weed~~, by affixing my signature hereto, acknowledge that:

B.1. I have read, understand and admit the allegations pending before the Board, as stated in Section A, Paragraphs A.4 through A.7. I further understand that these allegations constitute cause for disciplinary action upon my license to practice real estate appraising in the State of Idaho.

B.2. I understand that I have the right to a full and complete hearing; the right to confront and cross-examine witnesses; the right to present evidence or to call witnesses, or to testify myself; the right to reconsideration of the Board's orders; the right to judicial review of the Board's orders; and all rights accorded by the Administrative Procedure Act of the State of Idaho and the laws and rules governing the practice of real estate appraising in the State of Idaho. I hereby freely and voluntarily waive these rights in order to enter into this Stipulation as a resolution of the pending allegations.

B.3. I understand that in signing this Stipulation I am enabling the Board to impose disciplinary action upon my license without further process.

C. Stipulated Discipline

C.1. Respondent shall pay to the Board an administrative fine in the amount of Two Thousand and No/100 Dollars (\$2,000.00) within sixty (60) days of the entry of the Board's Order.

C.2. Respondent shall pay investigative costs and attorney fees in the amount of Four Thousand Sixty-Eight and No/100 Dollars (\$4,068.00) within sixty (60) days of the entry of the Board's Order.

C.3. Within nine (9) months of the date of entry of the Board's Order, Respondent shall obtain the following continuing education from Board-approved providers:

- a. A 15-classroom-hour² National USPAP course; **and**
- b. A 30-classroom-hour Residential Sales Comparison and Income

Approaches course.

Respondent shall submit proof of attendance to the Board within 30 days of attendance of each continuing education course. This continuing education shall be in addition to any continuing education Respondent is required to obtain to maintain his license.

C.4. Respondent's License No. CRA-1641 shall be placed on probation for a period of one (1) year. The conditions of probation are as follows:

² Classroom hours as used in this Stipulation and Consent Order and in the Rules of the Real Estate Appraiser's Board, IDAPA 24.18.01.000 *et seq.*, includes instruction in which:

(a) the appraiser taking the class and the instructor are physically present in the same location at the same time (traditional classroom hours), or

(b) the appraiser taking the class and the instructor are connected at the same time through videoconferencing or a similar technology, the appraiser taking the class is present in the same location with other appraisers taking the class, and the facilities are set up for interactive two-way communication between the instructor and the appraisers taking the class that allows questions to be posed by appraisers taking the class and answered by the instructor during the class (interactive distance learning classroom hours).

Classroom hours do not include on-line courses in which the appraiser taking the class is at a remote location from the other appraisers taking the class or in which the appraiser taking the class is not able to pose questions to the instructor and receive answers in real time.

a. Respondent shall comply with all state, federal and local laws, rules and regulations governing the practice of real estate appraising in the State of Idaho.

b. Respondent shall inform the Board in writing of any change of place of practice or place of business within 15 days of such change.

c. If Respondent leaves Idaho for three (3) continuous months, or resides or practices outside of the state, Respondent must notify the Board in writing of the dates of departure, address of intended residence or place of business, and whether Respondent intends to return. Periods of time spent outside Idaho will not apply to satisfy this probationary period or excuse compliance with the terms of this Stipulation.

d. Respondent shall fully cooperate with the Board and its agents, and shall make all relevant files, records, correspondence or other documents available immediately upon the demand of any member of the Board and its agents.

C.5. At the conclusion of the one-year probationary period and provided Respondent has complied with all other terms of this Stipulation, Respondent may request from the Board termination of the conditions of probation. Any request for termination of probation must be accompanied by written proof of compliance with the terms of this Stipulation.

C.6. All costs associated with compliance with the terms of this Stipulation are the sole responsibility of Respondent.

C.7. The violation of any of the terms of this Stipulation by Respondent may warrant further Board action. The Board therefore retains jurisdiction over this proceeding until all matters are finally resolved as set forth in this Stipulation.

D. Presentation of Stipulation to Board

D.1. The Board's prosecutor shall present this Stipulation to the Board with a recommendation for approval.

D.2. The Board may accept, modify with Respondent's approval, or reject this Stipulation. If the Board rejects the Stipulation, an administrative Complaint may be filed

with the Board. Respondent waives any right Respondent may have to challenge the Board's impartiality to hear the allegations in the administrative Complaint based on the fact that the Board has considered and rejected this Stipulation. Respondent does not waive any other rights regarding challenges to Board members.

D.3. If the Board rejects this Stipulation then, except for Respondent's waiver set forth in Paragraph D.2., this Stipulation shall be regarded as null and void, and admissions in this Stipulation and negotiations preceding the signing of this Stipulation will not be admissible at any subsequent disciplinary hearing.

D.4. Except for Paragraph D.2. which becomes effective when Respondent signs this Stipulation, this Stipulation shall not become effective until it has been approved by a majority of the Board and a Board member signs the attached Order.

E. Violation of Stipulation and Consent Order

E.1. If Respondent violates this Stipulation and Consent Order, the violation shall be considered grounds for additional discipline and the Board may impose additional discipline pursuant to the following procedure:

a. The Chief of the Bureau of Occupational Licenses shall schedule a hearing before the Board to assess whether Respondent has violated this Stipulation and Consent Order. The Chief shall also serve notice of the hearing and charges to Respondent and to Respondent's attorney, if any. Within fourteen (14) days after the notice of the hearing and charges is served, Respondent may submit a response to the allegations. If Respondent does not submit a timely response to the Board, the alleged violations will be deemed admitted.

b. At the hearing, the Board and Respondent may submit evidence and present oral argument based upon the record in support of their positions. Unless otherwise ordered by the Board, the evidentiary record before the Board shall be limited to evidence relevant to whether Respondent has violated this Stipulation and Consent

Order. At the hearing the facts and substantive matters related to the violations described in Section A shall not be at issue.

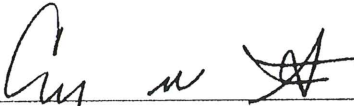
c. At the hearing, the Board may impose additional discipline, which may include the suspension or revocation of Respondent's license, the imposition of fines, the recovery of costs and attorney fees incurred by the Board and/or other conditions or limitations upon Respondent's practice.

E.2. This Stipulation and Consent Order is the resolution of a contested case and is a public record.

E.3. This Stipulation contains the entire agreement between the parties, and Respondent is not relying on any other agreement or representation of any kind, verbal or otherwise.

I have read the above Stipulation fully and have had the opportunity to discuss it with legal counsel. I understand that by its terms I am waiving certain rights accorded me under Idaho law. I understand that the Board may either approve this Stipulation as proposed, approve it subject to specified changes, or reject it. I understand that, if approved as proposed, the Board will issue an Order on this Stipulation according to the aforementioned terms, and I hereby agree to the above Stipulation for settlement. I understand that if the Board approves this Stipulation subject to changes, and the changes are acceptable to me, the Stipulation will take effect and an order modifying the terms of the Stipulation will be issued. If the changes are unacceptable to me or the Board rejects this Stipulation, it will be of no effect.

DATED this 8 day of MAY, 2008.




Craig W. Smith
Respondent

I recommend that the Board enter an Order based upon this Stipulation.

DATED this 9th day of May, 2008.

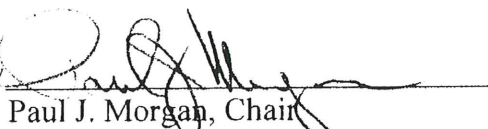
STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By 
Michael S. Gilmore
Deputy Attorney General

ORDER

Pursuant to Idaho Code § 54-4106(2)(h), the foregoing is adopted as the decision of the Board of Real Estate Appraisers in this matter and shall be effective on the 16 day of June, 2008. **IT IS SO ORDERED.**

IDAHO STATE BOARD
OF REAL ESTATE APPRAISERS

By 
Paul J. Morgan, Chair

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of June, 2008, I caused to be served a true and correct copy of the foregoing by the following method to:

Craig W. Smith
P.O. Box 4242
Bedford, WY 83112

- ☒ U.S. Mail
- ☐ Hand Delivery
- ☒ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile: _____
- ☐ Statehouse Mail

Michael S. Gilmore
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

- ☐ U.S. Mail
- ☐ Hand Delivery
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile: _____
- ☒ Statehouse Mail


Tana Cory, Chief
Bureau of Occupational Licenses

IDAHO BUREAU OF OCCUPATIONAL LICENSES

VOLUNTARY SURRENDER OF REGISTRATION/LICENSE

I, CRAIG W. SMITH, hereby voluntarily surrender my registration/license to practice as a Certified Residential Appraiser in the State of Idaho. I agree and consent that the surrender of my registration/license to practice is done without an order, order to show cause, hearing, or any other proceeding compelling its surrender. In view of my failure to comply with Idaho Law, title 54, chapter 41, Idaho Code, and the rules promulgated by the Idaho Real Estate Appraiser Board ("Board"), and as an indication of my good faith in desiring to remedy any incorrect or unlawful practices on my part, I voluntarily surrender my registration/license to practice in the State of Idaho and agree to immediately discontinue the practice of Real Estate Appraisal in this state.

I understand that I have the right to a hearing, the right to confront and cross-examine witnesses, the right to present evidence and testimony on my behalf, the right to appeal and all other rights accorded to me by the Idaho Administrative Procedures Act, title 67, chapter 52, Idaho Code, and the laws and rules governing the practice of Idaho Real Estate Appraisal, title 54, chapter 41, Idaho Code. I hereby freely and knowingly waive these rights without further process as a resolution of any claims or allegations which might otherwise be brought against me by the Board. I further waive any registration/license renewal rights provided by Idaho Code § 67-2614.

I acknowledge that in surrendering my registration/license to practice, I am not making any admissions; however, I specifically waive the right to contest this relinquishment in any subsequent proceeding. I acknowledge that the Board has jurisdiction to proceed against my registration/license pursuant to Idaho Code § 54-4107. I understand that the Board may enter an order either revoking or suspending my registration/license to practice based upon my voluntary surrender of my registration/license, which order may include a civil penalty and/or the imposition of costs and fees incurred by the Board in its investigation and prosecution of any claims or allegations against me, and I hereby consent to the imposition of such discipline.

I understand and acknowledge that by surrendering my registration/license to practice, all of the privileges associated with said registration/license are hereby surrendered until such time as I am again properly registered/licensed. I understand that to regain a registration/license to practice in the State of Idaho, I must re-apply to the Board pursuant to the provisions of title 54, chapter 41, Idaho Code, and all applicable rules and orders entered by the Board. I understand and agree that any decision regarding reinstatement of my registration/license is a discretionary decision for the Board. I understand and agree that the Board may rely on factors set forth in this document or other than those set forth in this document as grounds for denial of a petition for reinstatement of my registration/license or any registration/license application that I may submit.

I waive refund of any payments made by me in connection with my registration/license under the Idaho Real Estate Appraisers Act and any rules promulgated thereunder.

Name of Registrant/Licensee: Craig W Smith Registration/License No.: CRA-1641

Address: P.O. Box 4242 Bedford Id 83112
street city zip

Signature of Registrant/Licensee or Authorized Individual: [Signature]

Date: 2/21/09

Signature of Witness: [Signature]

Date: 2/23/09

Exhibit B
Page 1 of 1

[Rev. 10-07]